

*Approved Unanimously 3-0*

*Dec 24 '05*

**LEON COUNTY  
DEPARTMENT OF GROWTH AND ENVIRONMENTAL MANAGEMENT  
DEVELOPMENT SERVICES  
DEVELOPMENT REVIEW COMMITTEE REPORT**

**INTRODUCTION:**

The purpose of this document is to provide preliminary information regarding the procedural and substantive standards of the Leon County Land Development Code and identify Comprehensive Plan policies affecting the development of property within the unincorporated area of the County. This pre-application report should not be considered to be a complete analysis of all potential site design issues.

**DATE OF REVIEW:**

May 18, 2005

**PROJECT NAME:**

**Hidden Pond Concept PUD**  
(LPA 05003)

**APPLICANT:**

T.G. Enterprises of Tallahassee, Inc.  
2811 E. Industrial Plaza Dr.  
Tallahassee, FL 32301  
(850) 402-1111

**AGENT:**

Moore Bass Consulting, Inc.  
805 North Gadsden Street  
Tallahassee, FL 32303  
(850) 222-5678

**PROPERTY OWNER:**

T.G. Enterprises of Tallahassee, Inc.  
2811 E. Industrial Plaza Dr.  
Tallahassee, FL 32301  
(850) 402-1111

**PROJECT SUMMARY:**

The applicant proposes to develop a Planned Unit Development (PUD) on 6 lots totaling 28.91 acres that is located on the west side of Meridian Road, just south of Gardner Road. The property is inside the Urban Service Area (USA) and is currently zoned Lake Protection (LP). Pursuant to the provisions of the LP zoning district (Section 10-919, LDR's), any land within a closed basin may be rezoned to another appropriate district by amendment of the official zoning map through the Planned Unit Development Process. The property is bound on the west by a vacant wooded parcel zoned Rural (R), on the north by Gardner

*Agreement to sell if  
this is item on the  
June agenda.*

*July 5<sup>th</sup> 1st public  
hearing for planning  
Commission  
2nd to City Hall*

Road, on the east by Meridian Road, and on the south by low-density residential development zoned Rural (R). The proposed PUD, if approved, will amend the Official Zoning Map to change the zoning from LP to PUD. In a memorandum dated April 11, 2005 from Clay Campbell, P.E., the site contains closed basin characteristics. Other features present on the site are areas of significant slopes (10%-20%), severe slopes (> 20%), karst features, canopy road protection zone, patriarch trees and areas of 100 year floodplain. There are two main components of the overall concept plan which are detached residential development (47% or 13.55 acres) and common open space (39% or 9.5 acres of the site). The remaining land (14% or 5.86 acres) is allocated for roads, easements and a stormwater facility. The Applicant proposes to rezone the property to PUD and develop a single-use development consisting of 30 single family detached residential units.

**STAFF RECOMMENDS:** Approval *With Conditions*

**TYPE OF REVIEW:** Type "D" Review *per Article X, Division 5, Section 10-915 and XI, Division 4, Section 10-1480.*

**REVIEWED BY:** Scott Brockmeier, Planner II, Development Services

**LOCATION:** The proposed PUD is located on the west side of Meridian Road just south of Gardner Road in Section 24, Township 2N, Range 1W.

**PERMITTED USE VERIFICATION:** VC040016 issued on 3/8/2004

**TAX ID NO's.:** 24-24-20-043-0000; 24-24-20-051-000-0; 24-24-20-052-000-0; 24-24-20-053-000-0; 24-24-20-055-000-0; 24-24-20-084-000-0

**SIZE OF PARCEL:** 28.91 acres

**ZONING/FUTURE LAND USE DISTRICT:** Existing LP (Lake Protection)/LP; Proposing PUD

Direction from Approved Site	Primary Development Type	Primary Zoning District
North	Very Low Residential Development	Rural District
South	Very Low Residential Development	Rural District
East	Residential/, Ox Bottom Unit II, Phase I (Across Meridian Rd)	Lake Protection
West	Rural Vacant Land	Rural District

GROSS DENSITY: 1.04 units per acre

ROADWAY ACCESS: Gardner Road (Local Street)

WATER/SEWER/  
ELECTRICITY: City of Tallahassee

APPROVAL BODY: Development Review Committee, Tallahassee-Leon  
County Planning Commission and Leon County Board of  
County Commissioners

#### **Comprehensive Plan Issues (General).**

All development proposals shall be reviewed for consistency with the Goals, Objectives and Policies of the Tallahassee-Leon County Comprehensive Plan. The plan contains eleven elements, most of which affect specific land development proposals. These include the Future Land Use Element, Transportation Element, Conservation Element, Utilities Element, Parks and Recreation Element, Housing Element, Historic Preservation Element, Intergovernmental Coordination Element, Capital improvements Element, Economic Development Element, and Education Element. In regards to this property (Hidden Pond Site), the primary issues governing design and layout of the proposed development site are outlined in the Future Land Use Element and Future Land Use map and Environmental Overlays as described on pages I-8A, I-26, I-29 through I-34 and the Land Use Development Matrix on page I-36. Specific goals, objectives and policies pertaining to this development site are contained on pages I-38 through I-72.

The site contains conservation and/or preservation features. Such features require special protection and take precedence over other land development policies and regulations. Where necessary, the specific policies that affect the proposed design of the site will be

referenced. Plan changes may be necessary to address these policies to ensure the plan of development is consistent with the Comprehensive Plan. These policies will be included with specific comments related to compliance with specific land development regulations applicable to the development site.

**Future Land Use Element:**

**Lake Protection Future Land Use District (pg. I-26):**

Future development will not be subject to the limitations of the Lake Protection category if it can be demonstrated by competent scientific evidence that the development is located in a closed basin. All development within certified closed basins shall be approved through the PUD process.

Note: Please note that a text amendment has been initiated by the Board of County Commissioners that will eliminate the provision in the Lake Protection Future Land Use category that allows higher densities within closed basins. Therefore, the applicant is advised to address concerns by the Board on the need for higher densities within Lake Protection.

**Conservation (FLUE, pg. I-29):**

The site contains areas specifically designated as conservation areas in the Comprehensive Plan. Floodplains, significant (10%-20%) grades, severe (> 20%) grades, canopy roadway, and karst features. Best management and design is required to ensure continued functioning of the ecosystem. In all cases transfer of density to non-environmentally sensitive areas is preferred.

**Preservation (FLUE, pg. I-34):**

The site contains areas specifically designated as preservation areas including: severe grades (> 20%) and 100 yr floodplain. The transfer of development to non-environmentally sensitive areas is required.

**Low Density Residential Development Pattern, Policy 1.7.1 (FLUE):**

Low density residential patterns are limited to a gross density of no greater than 8 dwelling units per acre. The applicant proposes a gross density of 1.04 units per acre. In the low density residential development pattern some low density ranges may be restricted to limited density zoning due to environmental or utility constraints. The site is restricted by the presence of the conservation and preservation features mentioned above. These features will be minimally impacted and/or placed in conservation easements at the time of the Final Development Plan. EIA approval has been granted.

**Future Land Use Table (FLUE, pg. I-59):**

According to the Future Land Use Table, primary, low density residential patterns are limited to a density of up to 8 dwelling units per acre.

**Residential Land Use, Objective 2.1 (FLUE, pg. I-60):**

The proposed development must demonstrate compliance with Residential Land Use Policies. Development shall include buffers, setbacks from environmental features

(wetlands and waterbodies), landscaping requirements, tree requirements and stormwater requirements. The proposed concept plan incorporates land area for these requirements and will be reviewed for compliance with these policies at the time of Final Development Plan.

Policy 2.1.1 (FLUE, pg. I-60):

Existing development shall be protected from incompatible land uses. The proposed land uses in consistent with the low density residential development pattern and the use is compatible with surrounding development type (single family detached).

Policy 2.1.3 (FLUE, pg. I-61):

Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Development has been directed away from the two karst areas located on the north half portion of the site.

→ Policy 2.1.3 (FLUE, pg. I-61):

Clustering or transfer of development to non-environmentally sensitive portions of the site is preferred. Development, for the most part has been transferred to non-environmentally sensitive areas with the exception of significant slopes (10%-20%). Some disturbance is expected in these areas. The Comprehensive Plan limits disturbance to these features to 50%.

Transportation Element:

Policy 1.6.10 (TE):

→ All development shall contribute to developing a local and collector street and unified circulation system that will allow multimodal access to and from the proposed development as, well as access to surrounding development. The proposed design is inconsistent with this Policy of the Transportation Element. Street stub-outs to adjacent properties have not been proposed.

Utilities Element:

Potable Water sub-element

Policy 1.2.5 [PW]:

"New potable water service, within the Urban Service Area, shall be provided in a manner which promotes orderly, compact urban and cost efficient growth, and prevents "leapfrog" development, while optimizing the use of existing facilities."

Sanitary Sewer sub-element

Objective 1.3 [SS]:

"Needed sanitary sewer facilities will be provided in a manner which promotes orderly, compact urban and cost efficient growth while optimizing the use of existing facilities."

Policy 1.3.1 [SS]:

Sanitary sewer service shall be provided only in the urban service area.

**Policy 3.1.4 [SS]:**

"Sewer connection is required if sewer is available within 1,000 feet of the subject property along an existing right-of-way or easement and within 180 days of the approval of the site and development plan, or issuance of development order, whichever comes first; or within 365 days if right-of-way or easements must be acquired to accomplish the extension."

**Stormwater Management sub-element**

**Policy 1.1.3 [SM]:**

"Areas with sensitive environmental features will be required to have an environmental analysis performed when applying for a change in land use or intensity."

**Finding: The NFI and EIA applications have been approved.**

**Policy 1.1.4 [SM]:**

"Measures will be enacted for controlling erosion and sedimentation. No clearing, grading, cutting and filling will be allowed unless required devices are in place to control erosion and sedimentation."

**Conservation Element:**

**Policy 3.3.4 [C]:**

"Vegetation removal shall continue to be regulated by a permit prior to any land development activity through the land development code."

**Chapter 10, Land Development Regulations Issues:**

Proposed PUD applications are reviewed against the applicable provisions governing review, submittal, design and layout of the proposed PUD development site which are outlined in Article X, Division 5, Section 10-915 and Article XI, Division 4, Section 10-1480.

**Planned Unit Development (PUD) Zoning District Requirements and Procedures (Article X, Division 5, Section 10-915):**

**Eligibility:**

The PUD district is designed to allow an applicant to submit a proposal for consideration, for land uses or any mixture of land uses that are consistent with the comprehensive plan. The approval of a PUD rezoning requests rests with the Board of County Commissioners (BCC). However, no rezoning to a PUD zoning district shall be eligible for approval unless the following minimum conditions are met:

- 1) The minimum acreage required for an application for a PUD district is five (5) acres.  
**Finding: The site contains 28.91 acres.**
- 2) The tract(s) of land for a PUD district shall be contiguous with sufficient width and depth to accommodate the use.

Finding: The parcels within the site are contiguous and the site is approximately 1,100 feet by 1,200 feet in size.

- 3) All land in the proposed PUD shall be owned and under the complete control of the applicant for the zoning designation. Ownership may be by an individual, a corporation, partnership, corporation, other entity, group, or agency. The applicant shall provide all of the necessary documents and information that may be required by the county

Finding: All of the parcels within the site are owned by T.G. Enterprises, Inc. of Tallahassee.

Review Process:

A PUD application for a PUD zoning district shall have a PUD Concept Plan and PUD Final Development Plan.

- 1) An application for a pre-application conference shall be submitted.

Finding: A pre-application conference for the Hidden Pond Concept PUD (LPA05003) and the Final Development Plan (LPA040025) has been completed.

- 2) PUD Concept Plan application shall be submitted in accordance with the submittal requirements set forth in Section 10-915(d).
- 3) Public notice of the PUD Concept Plan shall be provided in a newspaper of regular and general circulation. In addition, written notice shall be mailed to the current address of each property owner within 500 feet of the project and registered neighborhood associations.

Finding: Notification for the PUD Concept Plan was posted in the Wednesday May 11, 2005 Tallahassee Democrat and mailed out to property owners within 500 feet of the project on February 21, 2005 and again on May 9, 2005.

- 4) The DRC shall review a PUD concept plan application at a regularly scheduled meeting to determine if the application complies with the comprehensive plan and other applicable land development regulations adopted by the county. The DRC shall provide written findings of fact which supports a recommendation of approval, approval with conditions, or denial of a PUD concept plan. These written findings of fact shall be forwarded to the Planning Commission.
- 5) The Planning Commission shall review the PUD concept plan, the written findings of fact of the DRC, and conduct a public hearing in order to formulate a recommendation to the Board of County Commissioners on approving, approving with conditions, or denying the PUD concept plan. The recommendation of the Planning Commission shall be supported with written findings of fact.

- 6) The BCC shall review the PUD concept plan, the recommendations and written findings of the DRC and Planning Commission, and conduct a public hearing. The BCC will then move to approve, approve with conditions or deny the PUD concept plan. The decision by the BCC shall be final and supported by written findings.

Submittal Requirements:

A PUD concept plan shall consist of graphic and/or text information as listed below:

- a. A general plan for the use of all lands within the proposed PUD. Such plans shall indicate the general location of residential areas (including density and unit types), open space, parks, passive or scenic areas, and non-residential areas (including maximum building square footage and maximum height).

Finding: All of the applicable information above has been provided in the PUD General Concept Plan map attachment VII.

- b. A plan of vehicular and pedestrian circulation showing the general locations and right-of-way road widths of roads, sidewalks, the capacity of the system and access points to the external and internal thoroughfare network.

Finding: The General Concept Plan adequately demonstrates general vehicular and pedestrian circulation on map attachment VII.

- c. Quantitative summary of land uses (maximum acres, maximum non-residential building square feet, and maximum number of residential units). A report shall be submitted to the county that includes a statement indicating how the proposed development complies with the comprehensive plan and a general description of the proposed development including:

Finding: All of the information has been provided in the General Development Standards (VIII) on page 7 of the concept plan.

1. The total acres of the project.

Total site area is 28.91 and has been provided.

2. The number of acres proposed to be developed in the various categories of land shown on the concept plan; the percentage of total acreage represented by each category of use and each component of development; and an itemized list of uses proposed for each of the components which shall be the range of uses permitted for that section of the PUD.

Finding: The allocation of land and percentages associated with each category is listed under the General PUD Narrative (VI) on page 5 and 6. The common/open space/conservation totals 9.5 acres or 32.86% of the site. The residential area totals 13.55 acres or 47% of the overall PUD. The permissible density and allowable uses are listed under the General Development Standards (VIII) on page 6.

3. The number and type of dwelling units proposed for the overall site and for its components, including dwelling unit per acre calculations and population projections for each or for non-residential projects.



Finding: The applicant has adequately demonstrated the required information by stating that the PUD will consist of 30 single family detached dwellings and a gross density of 1.04 d.u./acre.

4. The establishment of minimum design standards which shall govern the site and development such as lot size and shape, internal streets, pedestrian ways, open space provisions, off-street parking requirements, buffers and landscaping.

Finding: This information has been adequately addressed under the General Development Standards (VIII).

**GENERAL DEVELOPMENT STANDARDS:  
SINGLE FAMILY DETACHED BUILDING SETBACKS**

Front yard (building setbacks)	15feet
Side interior lot setbacks	10 feet
Side Corner Yard	10 feet
Rear Yard setbacks	20 feet
Canopy Road Protection Zone	100 feet from centerline of Meridian Rd.
** All buildings are limited to a height of 3 stories.	

**OFF-STREET PARKING REQUIREMENTS**

3 bedroom homes	2 off-street spaces required
4 bedroom homes or greater	3 off-street spaces required

*Note: Upon final approval, any modifications to the Development Standards established herein or the Hidden Pond Concept PUD shall be in accordance with Section 10-915(c)(1)(g).*

5. A binding commitment to develop the property in accordance with the approved concept plan and conditions of approval. The commitment shall bind all subsequent owners.

Finding: The binding commitment (X) provided on page 9 is adequate to bind all subsequent owners to the approved concept plan.

6. A site conditions map that includes the following:
- Legal description and boundary survey signed and sealed by a registered Florida land surveyor.  
Finding: The applicant has submitted a separate, original, signed and sealed boundary survey with this information.
  - Name of the PUD; owner; subdivider/lessee/optionee (if applicable), and address, e-mail and phone number of each; surveyor and engineer of record; and, date of drawing.

Finding: This information has been provided on the cover of the PUD concept plan.

c. Scale, date, north arrow, and general location map showing relationship of the site to external uses, structures, and features.

Finding: This information has been provided on the public facilities attachment map in map attachment XI of the PUD concept plan.

d. Boundaries of the subject property, all existing streets, buildings, water courses, easements, section lines, and other important physical features.

Finding: This information has been provided in map attachments IV, VII, and the boundary survey.

e. Existing topography (latest U.S. Department of the Interior Geological Survey).

Finding: This information has been provided in the Existing Conditions Map which is attachment IV of the concept PUD.

f. The location and size of all existing drainage facilities and a utility concept plan.

Finding: The Utility Concept Plan has received approval from Donna Nichols, P.E. of the City Utilities Division, Mark Stamps of Talquin Electric (Utilities Line on south portion of site). Furthermore, approval of the design has been granted by the owner of the 45' Gas Transmission Line (City of Tallahassee) along Meridian Road (Encroachment of 30' Utility Easement) has been approved by Stephen Mayfield of the City Gas Utility Division. These approvals should be obtained in writing and submitted to Development Services.

g. Information about the existing vegetative cover and general soil types, and their appropriateness for the proposed project.

Finding: Please refer to comments from the Environmental Compliance Division to determine if this requirement has been met.

h. The location and function of all other existing public facilities which would serve the residents of the site including, but not limited to, schools, parks, and fire stations. The requirements to provide this information may be waived for small projects. If required, notation of this information on a scalable map is acceptable.

Finding: This information has been provided on the Public Facilities Map which is attachment XI of the concept plan.

7. An environmental analysis approved by the county growth and environmental management department, in accordance with the

applicable provisions of the Environmental Management Act (EMA).

Finding: EIA approval was granted on April 12, 2005. Refer to comments from the Environmental Compliance Division.

8. A preliminary Certificate of Concurrence or appropriate documentation issued by County Growth and Environmental Management.

Finding: A Preliminary Certificate of Concurrence has been issued for this project. The Preliminary Certificate of Concurrence is set to expire on August 4, 2005.

**Amendments to the PUD Concept Plan (Section 10-915(c)(1)(g))**

Any amendments to the PUD concept plan shall be reviewed as a new PUD concept plan. Notwithstanding this provision, the county administrator or designee may approve amendments to the PUD concept plan during the review of a PUD final development plan if the said amendment is substantially minor in detail and would not affect the overall character of the PUD concept plan. The criteria used in determining if the changed would affect the overall character of the PUD include, but are not limited to:

- An increase in the overall number of residential units or non-residential building square footage.
- A decrease in the amount of acres devoted to common open space and/or natural area.
- A substantial change in the general location of the proposed land uses, including the natural area and common space.

**Type "D" Review (Article XI, Division 4, Section 10-1480):**

Type "D" Reviews are applied to Planned Unit Developments (PUDs). Applications for Type "D" Reviews require review and approval from the Development Review Committee (DRC), the Planning Commission, and finally the Leon County Board of County Commissioners (LCBCC). The LCBCC will decide whether to approve, approve with conditions, deny the application, or continue their consideration to a date and certain time.

Submittal requirements for a Type "D" review shall include or demonstrate the review requirements mentioned above in Section 10-915 (same language as 10-1480). Once approval by the BCC is granted the Final Development Plan (Type "B", LSP050006) can move forward towards placement on the DRC agenda.

**Further Review of Individual Development (10-1480.5):**

Once a conceptual plan for a Type "D" development has been approved by the BCC, the approval of individual parcels, tracts, projects within the Type "D" development shall utilize the applicable review procedure pursuant to this chapter to ensure compatibility with the concept plan as well as to meet other appropriate technical requirements.

*Finding: The only Final Development Plan has been submitted and is awaiting approval of the concept PUD to obtain placement of the Final Development Plan on the DRC agenda.*

**Revocation of the Site and Development Plan (10-1480.6):**

An approved concept plan under the provisions of this chapter shall be effective for sixty (60) months. If no building permit has been issued prior to the expiration of that time, the concept plan approval shall expire. Extensions may be granted by the County Administrator or Designee, provided that the concept plan is consistent with the comprehensive plan and meets the requirements of the Comprehensive Plan and meets the requirements of this chapter, for a period not to exceed six (6) months upon a demonstration of continuing good faith effort to move the development toward completion.

**Article XIV. Aquifer/Wellhead Protection.**

The agency responsible for implementing and enforcing the provisions of this Article must grant Aquifer Protection Clearance prior to final approval.

*Finding: The City of Tallahassee Water Quality Division, has indicated that the proposed development has been granted Aquifer Protection Clearance. No unused wells, geotechnical borings, or regulated substances were found on-site.*

**Signage (Article XIII):**

Compliance with the provisions within Article XIII will be addressed at the time of Final Development Plan and permitting.

**Site Plan and Subdivision Review Criteria:** In deciding whether to approve, approve with conditions, or deny a site plan, the Development Review Committee shall determine pursuant to Sections 10-915, 10-1407 and 1408, Section 10-1480, Type "D" review, whether the development proposal provides:

- (a) Consistency with the Comprehensive Plan;
- (b) Whether the design standards and requirements set forth in the Subdivision and Site and Development Plan Regulations have been met (Article XI);
- (c) Whether the applicable criteria of the Environmental Management Act have been met (Article VII);
- (d) Whether the standards and requirements of the zoning code have been met (Article X); and
- (e) Whether the requirements of other applicable regulations or ordinances which impose specific requirements on the proposed development have been met (Articles XIII and XIV).

**Leon County Growth and Environmental Management Department**

**Recommendation:**

Growth and Environmental Management recommends approval with conditions of the Type "D" Site and Development Plan for the Hidden Pond P.U.D. with project number 04-041, prepared by Moore Bass Consulting, Inc. of Tallahassee, Florida, with page numbers 1 through 10, and associated map attachments 11-15, dated April 5, 2005. The recommendation is based on the above referenced findings and the incorporation of the following conditions (for approval) into the PUD Concept Plan:

*Finding: Staff recommends approval with conditions of PUD Concept Plan LSP050006 dated 4/05/2005 from Moore Bass Consulting, Inc.*

**Conditions of Approval:**

1. Provide a written commitment to provide an easement (30 feet) along Meridian Road and Gardner Road for future Greenway improvements (Refer to Attachment #11). Please forward a copy of this written commitment to Scott Brockmeier and Cherie Bryant.

**NOTE:**

The comments made in this memorandum are based on the information submitted by the applicant for pre-application review. Additional comments may be applicable if additional or more specific information is presented at the time the application is formally submitted. If any comment presented in this memorandum is unclear, or if the applicant disagrees with any comment, contact Scott Brockmeier of the Development Services Division at (850) 488-9300 prior to submitting a formal application.

**Attachments:**

Attachment #1: Environmental Compliance Division Memorandum

Attachment #2: Permitted Use Verification Certificate (PUV)

Attachment #3: Public Works Approval from Kim Wood, P.E., Leon County Public Works Department

Attachment #4: City Utilities Approval from Donna Nichols, P.E

Attachment #5: Approval for Gas Line Easement Encroachment from Stephen Mayfield, City Gas Utility

Attachment #6: Approval from Mark Stamps, Talquin Electric (Overhead Electric Line)

Attachment #7: Preliminary Certificate of Concurrence from Brian Waterman, dated 2/17/2005

Attachment #8: Tallahassee-Leon County Planning Department Memorandum, Cherie Bryant, 3/21/2005

Attachment #9: Letter from Clay Campbell, P.E., stating the site contains closed basin characteristics

Attachment #10: Letter from Eddie Bass, dated May 4, 2005 regarding need for increased density in LP.

Attachment #11: E-mail correspondence from Stephen Hodges, TLCPD regarding future placement of greenways along Meridian and Gardner Rd.

**Mail Notification:**

Letters Sent: 68

Responses Returned: 2 returned as undeliverable; Ms Marie Eddie and Jackson, Ura Lee

Leon County, Department of Growth & Environmental Management

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## MEMORANDUM

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TO: Scott Brockmeier  
FROM: Grady Underwood *GU*  
CC: Nawfal Ezzagaghi  
DATE: May 17, 2005  
RE: Hidden Pond - PUD Concept Plan  
Review Comments for the DRC Meeting on May 18, 2005

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1. As requested, we have conducted a review of the referenced project for its consistency with stormwater, landscaping, tree protection and other environmental protection requirements found in Section 10 of the Leon County Code of Laws. We find the concept plan for the 28.91 acres to be in general compliance with code requirements.

**LEON COUNTY**  
**PERMITTED USE VERIFICATION**  
**CERTIFICATE NUMBER: VC040016**

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Attachment # 0  
Page 1 of 1

**ISSUED TO:**

Name: **MOORE BASS CONSULTING, INC.** Phone #: 850-222-5678  
Address: 805 NORTH GADSDEN STREET TALLAHASSEE, FL, 32303

Project Acreage: 28.00  
Zoning District: LP  
Parcel Tax ID#...: 2424200840000

24242001530000  
2424200520000  
2424200510000  
2424200430000  
242420050000

65 LOT RESIDENTIAL SUBDIVISION

Post-It® Fax Note 7671

Date <u>3/8</u>	# of pages <u>1</u>
To <u>Moore Bass Consulting</u>	From <u>Dev. Serv.</u>
Co./Dept.	Co.
Phone #	Phone # <u>488-9300</u>
Fax # <u>681-2349</u>	Fax #

**COMMENTS**

1: The parcels referenced above are located in the Lake Protection Future Land Use district and are located in the Urban Service Area. The combined acreage of these parcels is approximately 28 acres. The Leon County Land Development Regulation Section 10-919 allows the subdividing in Lake Protection to be limited to one dwelling unit per 2 acres. Based on the acreage of the properties this would allow for a total of 14 single-family lots that would be reviewed under the Type B Site and Development plan process. The Leon County Geographic Information System (G.I.S) notes that the property may be constrained by significant environmental features which may impact the ability to develop up to the maximum density allowed.

Leon County Land Development Regulation Section 10-919, and the Comprehensive Plan Policy for Lake Protection allows clustering of property not in a closed basin and within this Lake Protection zoning, to be clustered on 40% of the property allowing 2 units per acre and the remaining 60% of the property to remain as open space. The clustering option would allow no more than 22 single-family lots to be developed. Environmental constraints may reduce the allowed number of lots to be developed. The Type B site and development plan would be required for this type of development.

Clustering, if this property is located in a closed basin, would require the Planned Unit Development process. Density requirements would be limited to the Mixed Use-A Future Land Use component as noted in Comprehensive Plan Policy 1.7.10. This density shall be no greater than 8 dwelling units per acre as long as there is central water and central sewer service available to these properties. The information provided by the Leon County G.I.S. indicates that these properties are not located in a closed basin. However, if these properties have been certified by a registered engineer as being located within a closed basin, then this development must be approved through the Planned Unit Development.

These properties are also located along Meridian Road which is designated in Section 10-972 and Section 10-1806 as a Canopy Road. No development shall occur within 100 feet of the centerline of Meridian Road. If access to the site is available by roads other than a canopy road, then it shall not have direct access to the canopy road. This property may be subject to the city/county water and sewer agreement. If central sewer and water is not available, the minimum lot size is 0.50 acres of buildable area.

**CONDITIONS**

Subject to the following sequence of reviews and required approvals:

- 1: Canopy Road: Contact Urban Forester at 891-8635
- 2: Pre-Application Conference: Contact Development Services at 488-9300
- 3: Concurrency Certificate: Contact Concurrency Mgt at 488-9300
- 4: Type B Review Contact: Development Services at 488-9300
- 5: Building Permit Contact: Building Inspection at 488-4704
- 6: Environmental Permit Contact: Environmental Compliance at 488-9300
- 7: Development may be subject to City/County Water & Sewer Agreement. Contact City Utilities at 891-6101
- 8: Septic Tank Permit Contact: Leon County Health Department at 487-3166.

Submittal requirements are pursuant to the Leon County Zoning, Site and Development Plan and Subdivision Procedures and Information Manual for the Process identified above.

Subsequent permitting and site plan review may limit the ability to construct above described development. This certificate is exclusive to the terms and conditions herein and is valid under the 2010 Comprehensive Plan and the Leon County Land Development Regulations in effect at the time of issuance. Amendments to the 2010 Comprehensive Plan or to the Land Development Regulations may alter the terms and conditions of this certificate.

No Permitted Use Verification Application and/or Permitted Use Verification Certificate shall be the basis for any claims of estoppel or vesting as against any land development regulations or zoning regulations, which may be adopted on or after the date of the Permitted Use Verification Application and/or the Permitted Use Verification Certificate.

Status: **ELIGIBLE**  
Date Approved: 03/04/2004

*Willie A. McLeod* 3/8/04  
Development Services Division  
Leon County Community Development

68

**From:** Kimberly Wood  
**To:** Brockmeier, Scott  
**Date:** 04/27/2005 9:17:39 AM  
**Subject:** Hidden Pond PUD Concept Plan

Scott,

[REDACTED]

Kim



**From:** "Nichols, Donna Stearns" <NicholsD@talgov.com>  
**To:** "Brockmeier, Scott" <BrockmeS@mail.co.leon.fl.us>  
**Date:** 03/01/2005 11:34:59 AM  
**Subject:** Hidden Pond Type B Review - Resumbittal

Attachment # 4  
Page 1 of 1

I have received and reviewed the above referenced plans.

~~The attached plans are not suitable for this project.~~

I am working with this consultant feel they will finalize their water and sewer design.

If you have any questions or comments regarding this project, please contact me.

P.S. We have no comments for the 2:15 PUD Concept plan for tomorrow's meeting

Donna S. Nichols, P.E.  
Program Engineer-Water Utility  
(850) 891-6110

**CC:** "Kessler, Bruce" <KesslerB@talgov.com>

**From:** "Eddie Bass" <ebass@moorebass.com>  
**To:** <brockmes@mail.co.leon.fl.us>  
**Date:** 04/13/2005 1:44:11 PM  
**Subject:** FW: Hidden Pond Gas Line

Scott, see below approval from Stephen Mayfield, City of Tallahassee Gas Utilities, for the gas main crossing proposed within Hidden Pond. This should complete all comments presented by staff during the Concept Plan review stage. I will incorporate Mr. Mayfield's comments with regards to construction control into our plan set accordingly. Call me should you need anything further. Thanks.

---

Edward N. Bass, III  
Moore Bass Consulting, Inc.  
805 North Gadsden Street  
Tallahassee, Florida 32303  
850-222-5678 - office  
850-681-2349 - fax  
www.moorebass.com  
ebass@moorebass.com

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**From:** Mayfield, Stephen [mailto:MayfielS@talgov.com]  
**Sent:** Wednesday, April 13, 2005 1:35 PM  
**To:** Eddie Bass  
**Cc:** Potter, Timothy  
**Subject:** RE: Hidden Pond Gas Line

Eddie,

We have no problem with the crossing of our 6" high pressure gas main on the west side of Meridian Road across from Spanish Moss Drive as shown on the attached drawing. The only stipulations are that we require a minimum of a 2' separation between our gas main and your water line, and we will need an inspector onsite during the construction of the crossing. Please contact Tim Potter at 891-5115 to schedule the inspector.

Additionally, I would like to utilize the 20' utility easement to provide natural gas service to the subdivision. If you have any questions or need any additional information, please feel free to give me a call at 891-5118 or 694-8404.

Stephen Mayfield  
City of Tallahassee Gas Utility

-----Original Message-----

**From:** Eddie Bass [mailto:ebass@moorebass.com]  
**Sent:** Wednesday, April 13, 2005 1:04 PM  
**To:** Mayfield, Stephen  
**Cc:** Mayfield, Stephen  
**Subject:** Hidden Pond Gas Line

Stephen, thanks for taking the time to review this project and how it relates to the City's current gas main easement. We are proposing a crossing of an 8 inch water main in order to "loop" the water distribution system back into Meridian Road. This requires us to cross the gas main perpendicularly, just across from Spanish Moss Drive and Meridian.

I have attached herewith a PDF showing the crossing, as well as all utilities for this project. The crossing is located within the southeast corner of the project area. Please review with regards to the existing gas main and reply with any comments you may have. If you agree no impacts are proposed, please reply to this e-mail so that I may forward it on to Leon County staff to keep the project moving forward. If you have comments that you would like for us to incorporate into our plan sets, please include those as an attachment to the approval e-mail as well. Thanks.

<<8674-CD-UT 9.pdf>>

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Edward N. Bass, III  
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850-222-5678 - office  
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www.moorebass.com <file://www.moorebass.com>  
ebass@moorebass.com

CC: <dbrown@turnerheritage.com>

From: "Eddie Bass" <ebass@moorebass.com>  
To: <brockmes@mail.co.leon.fl.us>  
Date: 04/06/2005 10:06:16 AM  
Subject: FW: Hidden Pond Utility Concept Plan

Scott, please accept this forwarded e-mail as written approval of the Hidden Pond Concept Utility Plan by Talquin Electric, more specifically Mr. Mark Stamps. Please process accordingly. Thank you.

---

Edward N. Bass, III  
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850-681-2349 - fax  
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ebass@moorebass.com

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From: Mark Stamps [mailto:Mstamps@talquinelectric.com]  
Sent: Wednesday, April 06, 2005 9:20 AM  
To: Eddie Bass  
Cc: Mark Taylor  
Subject: RE: Hidden Pond Utility Concept Plan

The Hidden Pond PUD plan as most recently sent to me for review is acceptable for the accommodation of Talquin utilities.

Talquin has been requested by the developer to explore the possible relocation of the existing overhead electrical distribution line located on the PUD property. Should this relocation be possible, Talquin will coordinate with the developer/owner for the necessary electric utility easements.

If anyone has any questions concerning this message, please feel free to contact me.

—Original Message—

From: Eddie Bass [mailto:ebass@moorebass.com]  
Sent: Tuesday, April 05, 2005 3:43 PM  
To: Mark Stamps  
Subject: Hidden Pond Utility Concept Plan

Mark, please reply to this e-mail if you approve the prior submitted Utility Concept Plan for the Hidden Pond Subdivision. To sum up this project as it relates to Talquin, there is an existing overhead electric line spanning a portion of the southern rear of the property, that is currently proposed to remain. We have proposed a 30 foot utility easement over this line, but have requested that Talquin explore the relocation of this line.

Certificate Number: LCM040097

Date Issued: 02/17/2005

Expiration Date: 08/04/2005


LEON COUNTY  
PRELIMINARY CERTIFICATE OF CONCURRENCY

Applicant.....: T & G ENTERPRISES OF TALLAHASSEE LLC  
Owner.....: T & G ENTERPRISES OF TALLAHASSEE LLC  
Project Name.....: HIDDEN POND  
Project Location: CORNER OF MERIDIAN AND GARDNER ROAD  
Current Zoning: LAKE PROTECTION  
Future Use Description: LAKE PROTECTION  
Parcel I.D. Number(s) 24-24-20-043-0000

Type of Land Use:  
Residential Single Famil 30 UNITS

## Conditions:

This Preliminary Certificate of Concurrency is issued pursuant to Article VI of Chapter 10 of Leon County Code of Laws. Based upon the information submitted by the applicant, this certificate certifies that a development with the land use densities and intensities specified at the location specified above will have adequate infrastructure capacity tentatively reserved for water, wastewater, solid waste, recreation, mass transit, stormwater and transportation to serve the needs of the development. The information provided by the applicant has not been verified as accurate by staff. Upon notification from the Development Review and Inspection Division that a complete application for a Development Order is received from the applicant, staff will begin the assessment of the information received from the applicant. This permit in no way gives the proposed development any final authorization to develop, nor does it relieve the applicant from fulfilling the requirements of any Federal, State, County, or City Laws or regulations related to land use and land development.

  
Development Review and  
Inspection Division

5/6/05  
Date



Land Use Planning • Engineering Design • Environmental Permitting • Landscape Architecture • Surveying

April 11, 2005

Mr. John Kraynak, P.E.  
Director, Environmental Compliance Division  
Leon County Growth and Environmental Management  
3401 West Tharpe Street  
Tallahassee, Florida 32303

RE: EIA - Request for Additional Information  
Hidden Pond Subdivision  
MBC Job No. 867.004

Dear Mr. Kraynak:

This letter is in response to a formal request by staff to provide a summary of the on-site closed basin characteristics for the pre-developed and post-developed conditions.

The existing on-site depression is located adjacent to Gardner Road right-of-way and naturally stores 243,908 cubic feet of runoff up to a break-out elevation of 132. The overall contributing basin to the depression is 66.9 acres while the *project specific* area is 28.9 acres.

Based on the stormwater model previously submitted, the closed basin will retain up to a 2-year/8-hour storm event before breaching the break-out elevation in pre-developed condition. In the post-developed condition the proposed SWMF provides full retention up to and including the 50 year, 24 hour event for the *overall* contributing basin. It should also be noted that the post development SWMF also provides capacity for future improvements to Gardner Road, as requested by Leon County Public Works staff.

If you should have any further questions regarding the closed basin standards within the pre and post development conditions for this project, please do not hesitate to call.

Sincerely yours,  
Moore Bass Consulting, Inc.



Clayton A. Campbell, P.E.  
Fl. Reg. No. 52587

Cc: George Su, P.E.  
Pepper Ghazvini  
Doug Turner  
Danny Brown  
Gary Yordon

63

**Moore Bass**  
CONSULTING

Land Use Planning • Engineering Design • Environmental Permitting • Landscape Architecture • Surveying

May 4, 2005

Mr. Scott Brockmeier, Planner II  
Leon County Growth Management Department  
3401 West Tharpe Street  
Tallahassee, Florida 32304

Re: Hidden Pond Subdivision  
MBC Job No. 867.004

Dear Scott:

This letter is in response to staff request to provide justification for the proposed increased density in the Lake Protection Zoning District.

**Inside Urban Service Area**

The primary reason for the increased density is to meet the goals and objectives of the comprehensive plan. The fundamental premise of the comprehensive plan is urban infill, and, since our development is inside the urban service area, it is our primary goal. The density also accurately reflects and mirrors the large development directly across Meridian Road, Ox Bottom Manor.

**Infrastructure**

The next justification is the opportunity for the provision of infrastructure. Sufficient density is required for moving sewer service across Meridian Road. By using the recommended density in Lake Protection, 1 unit per 2 acre, there is no justification for moving sewer across Meridian Road.

In coordination with the City of Tallahassee, we are designing a regional pump station to serve other neighborhoods, both present and future, on the west side of Meridian Road.

We are also living up to a promise that was between both City and County Commissions. We promised them at the Comprehensive Plan Hearing, that we would move the sewer across the road. By that action, sewer would finally be made available to existing neighborhoods that have requested sewer for many years.

**Urban Sprawl**

The next justification relates again to the Comprehensive Plan and the clearly stated community objective of reducing Urban Sprawl by increasing densities inside the Urban Service Area. To accomplish the increased density, smaller lot size is required.

Mr. Scott Brockmeier  
Hidden Pond Subdivision  
May 4, 2005  
Page 2

**Closed Basin**

By designing a 50-year post development runoff stormwater pond, inside the closed basin, we have developed stormwater standards that fit comfortably inside the Land Development Regulations. The intent of the Comprehensive Plan, as it relates to Lake Protection, is to prevent stormwater runoff from leaving the site and impacting our lakes in a negative manner. Our 50 year post development pond meets the closed basin requirement as directed by John Kraynak, Leon County Director of Environmental Services.

Lastly, the increased density is exactly what we told the Commission we would be doing, when they approved our Comprehensive Plan Amendment. While we were uncertain of the number, we were certain of the increase, and informed the Commission of this intended increase at that time.

If you should have any questions regarding the content of this letter, please do not hesitate to call.

Sincerely yours,  
Moore Bass Consulting, Inc.



Edward N. Bass, III E.I.  
Project Manager/Engineer



**From:** "Hodges, Stephen" <hodgess@talgov.com>  
**To:** "Brockmeier, Scott" <BrockmeS@mail.co.leon.fl.us>  
**Date:** 05/11/2005 4:41:26 PM  
**Subject:** FW: Hidden Pond PUD & Meridian greenway

FYI.

> ~~Original Message~~

> From: Hodges, Stephen  
> Sent: Tuesday, April 05, 2005 7:46 PM  
> To: Bryant, Cherie (Planning)  
> Subject: RE: Hidden Pond PUD & Meridian greenway  
>  
> Cherie,  
>  
> Here are the requested comments. I hope they are useful and constructive.  
> I will be out of the office until April 8, 2005.  
>  
> Figure 14 of the Greenways Master Plan shows the proposed Meridian  
> Greenway. This Blueprint 2000 project is proposed to extend along Meridian  
> Road from Timberlane Ravine, immediately north of I-10, all the way to the  
> Florida/Georgia state line. Figure 10 of the Greenways Master Plan shows  
> the proposed Lake Jackson North Greenway trail which would connect  
> Meridian Road west along Gardner Road to the Leon County boat ramp on the  
> south side of Lake Carr, and further west to the county's J. Lee Vause  
> Park on the western shore of Lake Jackson.  
>  
> Historically, many previously farmed properties along historic canopy  
> roads in Leon County have, or had, firelines along the road to prevent  
> groundfires from burning deep into these properties. These firelines, when  
> located within canopy road regulatory zones, provide opportunities to  
> locate trails parallel to such roads. The ongoing Meridian Greenway Trail  
> is being designed to take advantage of such firelines, and Phase I of this  
> project is currently being designed conceptually to terminate at Spanish  
> Moss Drive. However, the Greenways Master Plan shows this trail going  
> north to the state line. Local government, in coordination with the State  
> of Florida, is currently negotiating with a private land owner to extend  
> Phase I of the Meridian Greenway north to Paramore Estates from Miller  
> Landing Road along and on top of an existing natural gas pipeline easement  
> that follows the west side of Meridian from Rhoden Cove Road north to the  
> state line.  
>  
> In my opinion, the proposed trail from Meridian Road west along Gardner  
> Road should be located on the south side of this road in order to give the  
> residents of Hidden Pond the means to safely access the proposed Lake  
> Jackson North trail and the Meridian Greenway Trail by minimizing any road  
> crossings. A trail easement with a minimum width of 30 feet, starting  
> approximately 20 feet from the edge of the roadway and extending into the  
> subject property, would be the minimum space and easement necessary to  
> construct a shared-use path with a natural or eventual paved surface, in  
> lieu of a sidewalk. This easement should be provided along the frontage  
> facing Gardner Road. A safe crossing of this trail across the access road  
> that will intersect Gardner Road should be reserved at this intersection,  
> and any improvements such as landscaping or signage should either not be  
> placed upon the area set aside for a trail and the crossing, or it should  
> be integrated into the trail design. This section of trail should also be

- > integrated into the design for the propose SWMF on the northern side of
- > the PUD site area. This will also require the designers of the SWMF to
- > leave sufficient area on the north side of this facility for a minimum
- > eight-foot wide trail with a two-foot cleared area on both sides, and pond
- > slopes designed to public access standards. If this pond must maximise its
- > available space and depth so that such slopes are not feasible, then
- > sufficient fencing, preferably rustic and attractive, should be provided
- > to prevent trail users from accidently tumbling into this pond. This
- > portion of the trail can and should be designated as a no-fishing area.
- >
- > A similar easement should be provided to local government along that
- > portion of Meridian Road that the property abuts. If this portion of the
- > trail cannot be permitted, then the trail may be rerouted to follow the
- > existing natural gas pipeline easement. It is also suggested that a
- > similar 30' wide trail easement be provided through the common area where
- > it will not impact any environmentally sensitive areas, connecting the
- > easement along Meridian to the interior road system of the proposed PUD.
- > This would allow residents to access the Meridian Greenway Trail in the
- > future w/o having to go to Gardner Road.
- >
- > These trail easements can be written to take advantage of existing state
- > law relieving property owners from liability if they provide public access
- > to their property (in this case, a trail) as part of a state-certified
- > greenway. A copy of this easement language can be provided upon request.
- > These easements should be incorporated into the design plans and plat of
- > the PUD. The Tallahassee - Leon County Greenway System staff will work
- > with the landowner and residents at a future date to incorporate any
- > concerns or design issues into the greenway trail system, including
- > security, visual impact, and other potential issues.
- >
- > Please contact me if you have any concerns or comments, or require further
- > information.
- >
- >
- > Steve Hodges
- > Tallahassee - Leon County Planning Department
- >
- > —Original Message—
- > From: Bryant, Cherie (Planning)
- > Sent: Tuesday, April 05, 2005 3:39 PM
- > To: Hodges, Stephen
- > Subject: Hidden Pond PUD & Meridian greenway
- >
- > Steve,
- >
- > Wayne just asked me to put together comments on this PUD (we talked about
- > it a couple of weeks ago) stating exactly what we want for the Greenway at
- > this intersection (Meridian & Gardner). Please let me know, and copy
- > Wayne, exactly what should be there, and what the applicant should do
- > (i.e., 20 feet easement, paved trail, cross walks, etc.) I know it's
- > short notice, but he asked us to try to get this out by tomorrow
- > afternoon. If you can email me your comments, I'll draft a memo to the
- > applicant.
- >
- > Please let me know if you need anything.
- >

- > Cherie Bryant, AICP
- > Senior Planner
- > Tallahassee - Leon County Planning Department
- > (850) 891-8600
- > (850) 891-8734 (fax)
- >

**DEVELOPMENT REVIEW COMMITTEE  
MEETING MINUTES  
May 18, 2005**

DRC Members present: David McDevitt, Development Services Director  
Tony Park, Public Works Director  
Roxanne Manning, TLCPD Land Use Manager

Meeting was called to order by David McDevitt at 10:00am.

**Hidden Pond Concept Planned Unit Development (PUD):**

A brief overview of the project was presented by Scott Brockmeier, Planner II. The proposal is for a PUD on 6 lots located on the west side of Meridian Road, just south of Gardner Road, totaling 28.91 acres. The property is inside the Urban Service Area (USA) and is currently zoned Lake Protection (LP). The property is bound on the west by a vacant wooded parcel zoned Rural (R), on the north by Gardner Road, on the east by Meridian Road, and on the south by low-density residential development zoned Rural. If approved, the PUD will amend the Official Zoning Map to change the zoning from LP to PUD. The site contains closed basin characteristics, and pursuant to the provisions of the LP zoning district, any land within a closed basin may be rezoned to another appropriate district by amendment of the official zoning map through the PUD process. The applicant proposes to rezone the property to PUD and develop a single-use development consisting of 30 single family detached residential units.

It was noted that the final development plan is at Technical Staff Review level; therefore it cannot be scheduled for DRC until the Board approves the Concept Plan.

Staff recommends approval of the Hidden Pond PUD Concept Plan with the following condition:

1. Provide to Scott Brockmeier, Growth and Environmental Management, and Cherie Bryant, Tallahassee-Leon County Planning Department (TLCPD), a written commitment to provide an easement (30 feet) along Meridian Road and Gardner Road for future Greenway improvements.

Grady Underwood, Environmental Compliance, reviewed the many environmental constraints on the property, but also noted that the proposed concept plan was found to be in general compliance with Code requirements.

Roxanne Manning, TLCPD, stated that the Canopy Roads Committee recommended approval of the proposed PUD concept plan.

Tony Park, Public Works, stated that the County will be entering into an agreement with the applicant for some improvements to Gardner Road, and that the stormwater pond is sufficient for these improvements. The County will also take over maintenance of the stormwater pond.

Ms. Manning made a motion to recommend to the Board of County Commissioners approval of the proposed Hidden Pond PUD Concept Plan with the condition that the applicant provide to

DRC Meeting Minutes  
May 18, 2005  
Page 2

Scott Brockmeier, Growth and Environmental Management, and Cherie Bryant, Tallahassee-Leon County Planning Department (TLCPD), a written commitment to provide an easement (30 feet) along Meridian Road and Gardner Road for future Greenway improvements.

Mr. Park seconded the motion. All were in favor and motion passed.

The Planning Commission Public Hearing for this proposal is tentatively scheduled for July 5, 2005 (or June 7, 2005 if agenda permits), and will then be scheduled on the Board of County Commissioner's agenda for final Public Hearing.

Meeting adjourned.

From: John Kraynak  
To: Brockmeier, Scott; Phipps, Jeffrey  
Date: 03/08/2005 10:48:47 AM  
Subject: Re: hidden pond pud concept plan

The existing floodplain volume that includes runoff from Meridian Road will be maintained on their site in addition to the stormwater requirements. This site will contain the runoff from a 50-year storm event which will not create any adverse impacts downstream. They are currently in site plan and environmental analysis where we hope to work out these details. Final details will be reviewed during environmental permitting which will occur a few months down the road.

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from county employees and county officials regarding county business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

>>> "Jeffrey Phipps" <jfipps@growthinnovations.com> 03/02/2005 10:38:23 PM >>>  
Dear, Mr Scott Brockmeier,

I was noticed, but missed the meeting.

Do you have the concept plan online, or could you send me an adobe or other form via email or fax at 850-894-6073?

Primarily, what access to meridian rd.

What does the county require for stormwater, I am downstream of this property. What of the calculated volume coming off of meridian rd which currently spoils on the site, in the bottom on the pond, is the landowner required to continue to spoil that volume?

Thanks,

Jeffrey Phipps  
Orchard Pond LLC

CC: Shinming Su; Underwood, Grady